

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Qwest Wireless's Petition for Waiver of)	CG Docket No. 03-123
the Telecommunications Relay Services)	
Fund Contribution Rules, 47 C.F.R.)	
§ 64.604(c)(5)(iii))	

**QWEST WIRELESS'S REPLY COMMENTS
IN SUPPORT OF ITS PETITION FOR WAIVER
OF THE TRS FUND CONTRIBUTION RULES,
47 C.F.R. § 64.604(c)(5)(iii)**

On June 26, 2009, Qwest Wireless (QW) filed a Petition for waiver of the TRS Fund contribution rules, which the Commission publicly noticed for comment requesting opening comments by October 14, 2009.¹ No comments have been filed regarding the Petition, and it is thus unopposed. In turn, given the absence of opposition to the Petition and for the reasons stated in the Petition, QW urges this Commission to expeditiously grant the requested relief.

In its Petition, QW set out the special circumstances and the public interest that would be served that support granting the requested waiver. QW seeks to be relieved of contributions to the TRS Fund because it is exiting the telecommunications business.² Its customers have been leaving for many months, and after October 31, 2009 QW will not have any customers at all. Granting the waiver is better aligned with the statutory requirement that “costs caused by

¹ *Public Notice*, CG Docket No. 03-123, Comment Sought on Qwest Wireless Petition for Waiver of the TRS Fund Contribution Rules, DA 09-2097 (rel. Sept. 23, 2009).

² QW has requested that it be relieved of its TRS Fund obligations starting with the 2009-2010 funding year which began in July. To the extent that QW has been contributing into the TRS Fund for this funding year while this request is pending, QW seeks a refund of the amounts already paid if the waiver is granted.

interstate telecommunications relay service [] be recovered from all *subscribers* for every interstate service,”³ enables a more equitable contribution burden, and does not harm the TRS Fund or the services it supports.

For these reasons as explained in its Petition and because the Petition has not been opposed, QW respectfully requests that the Commission grant the Petition and provide the requested relief as soon as practicable.

Respectfully submitted,

QWEST WIRELESS

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October 21, 2009

³ See 47 U.S.C. § 225(d)(3)(b) (emphasis added).

CERTIFICATE OF SERVICE

I, Eileen Kraus, do hereby certify that I have caused the foregoing **QWEST WIRELESS'S REPLY COMMENTS IN SUPPORT OF ITS PETITION FOR WAIVER OF THE TRS FUND CONTRIBUTION RULES, 47 C.F.R. § 64.604(c)(5)(iii)** to be: 1) filed via ECFS with the Office of the Secretary of the FCC in CG Docket No. 03-123; and 2) served via e-mail on the FCC's duplicating contractor, Best Copy & Printing, Inc. at fcc@bcpiweb.com.

/s/ Eileen Kraus

October 21, 2009